

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 315 be amended to read as follows:

- 1 Page 5, after line 42 , begin a new paragraph and insert:
- 2 "SECTION 2. IC 8-6-4.5 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2000]:
- 5 **Chapter 4.5. Installation of Street Lights at Passive Railroad**
- 6 **Grade Crossings**
- 7 **Sec. 1. As used in this chapter, "railroad grade crossing"**
- 8 **means a railroad crossing that is not equipped with train activated**
- 9 **warning signals.**
- 10 **Sec. 2. As used in this chapter, "unit" means a city, town, or**
- 11 **county.**
- 12 **Sec. 3. A unit that has jurisdiction over a public road or public**
- 13 **street intersecting a railroad grade crossing may follow the**
- 14 **procedure set forth in this chapter to install a street light at the**
- 15 **railroad grade crossing.**
- 16 **Sec. 4. (a) The legislative body of the unit must, after a public**
- 17 **hearing, adopt a resolution to install a street light at the railroad**
- 18 **grade crossing in order to improve safety at the railroad grade**
- 19 **crossing.**
- 20 **(b) Notice of the public hearing under subsection (a) on the**
- 21 **resolution must be given as set forth in IC 5-3-1.**
- 22 **Sec. 5. (a) After adopting the resolution, the unit must submit**
- 23 **a written request to the department for the installation of a street**
- 24 **light at the passive railroad grade crossing.**
- 25 **(b) Except as provided in subsection (c), upon receiving a**
- 26 **request from the unit, the department shall arrange with a utility**

1 or municipal utility for installation of a street light at the crossing
2 and for the acquisition of any easements necessary for installation
3 of the street light.

4 (c) The railroad company shall pay the costs of installing a
5 street light under this chapter and shall pay the cost of acquiring
6 any easements required for installing the street light that are not
7 paid by a utility, municipal utility, or any other legal entity.

8 Sec. 6. Except as provided in section 7 of this chapter, the unit
9 is responsible for paying the cost of maintaining and operating the
10 street light installed by the department.

11 Sec. 7. If the unit transfers jurisdiction of the road or street
12 that crosses the passive railroad grade crossing to another unit, the
13 unit that receives jurisdiction of the road or street shall pay the
14 costs of maintaining and operating the street light.

15 Sec. 8. The department shall prepare a form for units to use to
16 request street light installation by the department under this
17 chapter.

18 Sec. 9. The department may not arrange for installation of a
19 street light under this chapter at a railroad grade crossing if
20 automatic train activated warning signals will be installed at the
21 crossing not later than one (1) year after the date a request is
22 received by the department for installation of a street light at the
23 crossing."

(Reference is to SB 315 as printed February 17, 2000.)

Representative TURNER